

Application Serial No.: 10/694,829
Art Unit: 3635

Attorney Docket No. 23662.00
Confirmation No. 2483

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs 1,2, 3A-3F and 4. These sheets, which include Figs. 1, 2, 3A, 3B, 3C-3D, 3E-3F and 4, replaces the original sheets including Figs. 1, 2, 3A, 3B, 3C-3D, 3E-3F and 4. In Figs. 1,2, 3A-3F and 4, the reference numbers have been formalized.

Attachment: Replacement Sheets (7)
 Annotated Sheet Showing Changes (7)

REMARKS

By the present amendment, Applicants have amended Claims 1, 2, 6 and 7, and cancelled Claims 5, 12 and 14-17. Claims 1-4 and 6-11 and 13 remain pending in the present application. Claim 1 is the sole independent claim.

Applicants appreciate the courtesies extended to their representative during the personal interview held March 23, 2005. The present response summarizes the agreement reached. At the interview a proposed amendment to the claims was presented. Proposed amended independent Claim 1 set forth a plant-on trim element having an elongate, foraminous lath shell, an elongate core, and a finish coating. The lath shell is characterized as defining a three-dimensional shape having an interior cavity. The lath shell is further defined as having opposed flanges extending therefrom. The core is set forth as having a shape substantially conforming to the interior cavity of the lath shell installed within the lath shell. The core is further claimed as being substantially in contact with the lath shell, such that the lath shell substantially contacts the interior surface of the lath shell. The core has at least one disposed relief defined in the core; the relief being separated from the lath shell interior surface. The finish coating is applied to the foraminous lath shell, the finish coating passes through the apertures of the shell, and at the locations of each relief, the finish coating encapsulates, and anchors the finish coating to the shell. Upon curing or hardening of the finish coating, the portions of the coating in each relief solidly secure the coating to the shell.

Arguments were advanced that the cited and applied prior art references to Savenok et al. and Mansfield et al. neither anticipate nor render obvious the proposed amended

independent claim. The Examiner indicated that the proposed amendment to Claim 1 appears allowable over the prior art or record.

Claims 14-17 were held withdrawn from consideration by the Examiner as being directed to a non-elected invention. Accordingly, it is proposed herein that the instant claims be cancelled. However, it should be noted that under the provisions of 35 U.S.C. § 121 Applicant reserves the right to file a divisional application directed to the non-elected subject matter.

In the recent Office Action the Examiner rejected Claim 12 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner also objected to the drawings under 37 CFR 1.83(a) as failing to show features of the invention specified in Claim 12. In this regard, Applicant has canceled Claim 12 which should serve to render the grounds if objection and rejection moot.

Submitted herewith are proposed changes to Figs. 1,2, 3A-3F and 4. The proposed changes are shown in red on the attached Annotated Sheets and include the formalization of the references numbers.

In the recent Office Action the Examiner rejected Claims 1-4, and 8-13 under 35 U.S.C. § 102(e) as being anticipated by Savenok et al. Claims 5-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Savenok et al. in view of Mansfield et al. The indication by the Examiner during the interview that proposed amended independent Claim 1 would be allowable over the prior art of record is noted with appreciation.

Applicant has herein amended independent Claim 1 to correspond with proposed amended Claim 1 discussed during the aforementioned interview. Applicant respectfully submits that for at least these reasons, amended independent Claim 1 and its corresponding dependent claims are allowable over the prior art applied of record.

Applicant will advance arguments for the record to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

The applied prior art reference to Savenok et al. discloses a system for attaching architectural molding to buildings having a core, a foraminous layer, a plurality of rigid attachment strips, a plurality of fasteners for engaging the strips, and a hard outer cementitious layer. Savenok et al. does not disclose the flanges extending from the shell, nor the relief portions of the core, as now recited in amended independent Claim 1. Thus, Claim 1 is not anticipated by Savenok et al., and as such this particular ground of rejection should be withdrawn.

The applied secondary prior art to Mansfield et al. discloses a skeletal reinforcing manufacture for buildings having a core and a foraminous shell, upon which a manipulatable trim material is applied. Mansfield discloses flanges extending from a foraminous shell. However, Mansfield et al. does not describe any portion of the core having a relief, which allows the applied trim material to fill and surround the foraminous shell thereat. Thus, one having ordinary skill in the art would not have found it obvious to provide a core having the relief portions in Savenok et al., alone or in combination with Mansfield et al., as alleged by the Examiner. Applicants respectfully submit, and as set forth during the above-discussed interview, amended independent Claim 1 is allowable over the

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applied prior art of record, and as such, this particular ground of rejection should be withdrawn.

The claims in this application have been revised to more particularly define Applicants' unique construction in view of the prior art of record. Reconsideration of the claims in light of the amendments and for foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,



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RCL:DHT:wse
Attachments